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Attorney Docket No. P1937R1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Lynne Ann Krummen, et al. Serial No.: 10/715,270 Filed: November 14, 2003 For: INTRON FUSION CONSTRUCT AND METHOD OF USING FOR SELECTING HIGH-EXPRESSING PRODUCTION CELL LINES	Group Art Unit: 1638 Examiner: Not yet assigned Confirmation No: 4580 CUSTOMER NO: 09157 CERTIFICATE OF MAILING I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on Date: <u>2-2-06</u> By: <u>Pam Golden</u> Pam Golden
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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants submit herewith patents, publications or other information (attached hereto and listed on the attached revised Form PTO-1449) of which they are aware, which they believe may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 CFR §1.56.

This Information Disclosure Statement is filed in accordance with the provisions of:

- [X] **37 CFR §1.97(b)**
- within three months of the filing date of the application other than a continued prosecution application under 37 CFR §1.53(d); **or**
 - within three months of the date of entry of the national stage of a PCT application as set forth in 37 CFR §1.491, **or**
 - before the mailing of the first Office action on the merits; **or**
 - before the mailing of the first Office action after the filing of a request for a continued examination under 37 CFR §1.114.

- ☐ **37 CFR §1.97(c)**
by the applicant after the period specified in 37 CFR §1.97(b), but prior to the mailing date of any of a final action under 37 CFR §1.113, or a notice of allowance under 37 CFR §1.311, or an action that otherwise closes prosecution in the application, and is accompanied by either the fee set forth in 37 CFR §1.17(p) or a statement as specified in 37 CFR §1.97(e), as checked below.
- ☐ **37 CFR §1.97(d)**
after the period specified in CFR §1.97(c), and is accompanied by the fee set forth in 37 CFR §1.17(p) and a statement as specified in 37 CFR §1.97(e), as checked below.

A list of the patent(s) and/or publication(s) is set forth on the attached revised Form PTO-1449.

A copy of the items listed on the PTO-1449 form are supplied herewith, except for those patent(s), publication(s) or other information which are marked with an asterisk (*) in the attached PTO-1449 form are not supplied because a) ☐ they were previously cited by or submitted to the Office in a prior application Serial No. , filed and relied upon in this application for an earlier filing date under 35 USC §120 and/ or because b) ☒ copies of United States patents and United States patent application publications are not required unless requested by the Office. 37 CFR §1.98(a)(2)(ii). See Final Rule 1287 OG (October 12, 2004). Applicants stand ready to provide copies at the request of the Examiner.

A concise explanation of relevance of the items listed on PTO-1449 is:

- ☒ not given
- ☐ given for each listed item
- ☐ given for only non-English language listed item(s)
- ☐ in the form of an English language copy of a Search Report from a foreign patent office, issued in a counterpart application, which refers to the relevant portions of the references.

In accordance with 37 CFR §1.97(g), the filing of this information disclosure statement shall not be construed as a representation that a search has been made.

In accordance with 37 CFR §1.97(h), the filing of this information disclosure statement shall not be construed to be an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in 37 CFR § 1.56(b).

The Commissioner is hereby authorized to charge any additional fees required under 37 CFR 1.16 and 1.17 for this Information Disclosure Statement, or credit overpayment to Deposit Account No. 07-0630. **A duplicate copy of this sheet is enclosed.**

Respectfully submitted,
GENENTECH, INC.

Date: 2/2/06

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U.S. Dept. of Commerce
Patent and Trademark Office

P1937R1

10/715,270

Applicant

Krummen et al.

Filing Date

14 Nov 2003

Group

1638

U.S. PATENT DOCUMENTS

Examiner Initials		Document Number	Date	Name	Class	Subclass	Filing Date
	*67	2004/0063186		McGrew			10.10.03
	*68	2004/0191173	30.09.04	Tan, et al.			06.04.04
	*69	6,114,146		Herlitschka, et al.			14.11.95
	*70	6,872,549	13.11.03	Van Ness, et al.			27.03.03

OTHER DISCLOSURES (Including Author, Title, Date, Pertinent Pages, etc.)

[illegible]

Examiner

Date Considered

*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.